

Practitioner's Docket No.: 281-329.02

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re application of: Ervin Goldfain, Chris R. Roberts, Allan I. Krauter, Steven R. Slawson, and William R. Lagerway

Serial No.: 09/862,636

Art Unit: Not Assigned

Filed: May 22, 2001

Examiner: Not Assigned

For: EYE VIEWING DEVICE COMPRISING EYEPIECE AND VIDEO CAPTURE OPTICS

**Box Missing Parts**  
**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington D.C. 20231, on August 30, 2001.

*Tammy S. General*  
Tammy S. General

**COMPLETION OF FILING REQUIREMENTS**  
**— NONPROVISIONAL APPLICATION**

*(check and complete this item, if applicable)*

I. ☒ This replies to the Notice to File Missing Parts of Nonprovisional Application mailed July 19, 2001.

☒ A copy of the Notice to File Missing Parts of Nonprovisional Application—Filing Date Granted is enclosed.

**DECLARATION OR OATH**

II. ☒ No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

**OTHER PAPERS ENCLOSED**

III. ☒ Assignment with Assignment Transmittal

**TRANSMITTAL OF ENGLISH TRANSLATION**  
**OF NON-ENGLISH LANGUAGE PAPERS**

IV. ☐ Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

## SMALL ENTITY STATUS

V. ☐ A statement that this filing is by a small entity is attached.

☐ A separate refund request accompanies this paper.

☐ was filed on \_\_\_\_\_ (original).

## COMPLETION FEES

VI. **WARNING:** *Failure to submit the surcharge fees where required will cause the application to become abandoned. 37 C.F.R. 1.53.*

**NOTE:** *For effect on fees of failure to establish status, or change status, as a small entity, see 37 C.F.R. 1.28(a).*

1. Filing Fee  
☐ Original Patent Application \$\_\_\_\_\_.00  
(37 C.F.R. 1.16(a) --\$690.00; Small Entity--\$345.00)
  2. Fees for Claims ( Claims; Indep.)  
☐ each independent claim in excess of 3 \$\_\_\_\_\_.00  
(37 C.F.R. 1.16(b)--\$78.00; small entity--\$39.00)  
☐ each claim in excess of 20 \$\_\_\_\_\_.00  
(37 C.F.R. 1.16(c)--\$18.00; small entity--\$9.00)  
☐ multiple dependent claim(s) \$\_\_\_\_\_.00  
(37 C.F.R. 1.16(d)--\$260.00; small entity--\$130.00)
  3. Surcharge fees  
☐ late payment of filing fee \$ 130.00  
(37 C.F.R. 1.16(e)--\$130.00; small entity--\$65.00)  

and/or

☒ late filing of original declaration or oath \$\_\_\_\_\_.00  
(37 C.F.R. 1.16(e)--\$130.00; small entity--\$65.00)
- NOTE:** *If both the filing fee and declaration or oath were missing from the original papers, only one surcharge fee for both need be paid. 37 C.F.R. 1.16(e).*
4. ☐ Petition and fee for filing by other than all the inventors or a person not the inventor \$\_\_\_\_\_.00  
(37 C.F.R. 1.17(i) and 1.47--\$130.00)
  5. ☐ Fee for processing an application filed with a specification in a non-English language \$\_\_\_\_\_.00  
(37 C.F.R. 1.17(k) and 1.52(d)--\$130.00)
  6. ☒ Assignment Fee \$ 40.00

**Total Completion Fees \$170.00**

## EXTENSION OF TIME

### VII.

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. 1.17(a)(1)-(4), for the total number of months checked below:

Extension (Months)		Fee for other than small entity	Fee for small entity
	One Month	\$ 110.00	\$ 55.00
	Two Months	\$ 380.00	\$ 190.00
	Three Months	\$ 870.00	\$ 435.00

Extension Fee

\$ 00.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 00.00

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## TOTAL FEE DUE

### VIII.

The total fee due is:	Completion fee(s)	\$170.00
	Extension fee (if any)	\$ <u>.00</u>
	<b>Total Fee Due</b>	<b>\$170.00</b>

## PAYMENT OF FEES

### IX.

- ☒ Enclosed is a check in the amount of \$.
- ☐ Charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_. A duplicate of this request is attached.

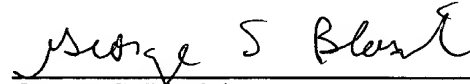
**AUTHORIZATION TO CHARGE ADDITIONAL FEES OR  
CREDIT OVERPAYMENT**

- X.      ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

August 30, 2001

Date



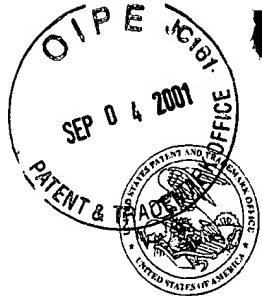
George S. Blasiak

Reg. No. 37,283

GSB/ts

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Sector \$

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/862,636	05/22/2001	Ervin Goldfain	281-329.02

CONFIRMATION NO. 1483

## FORMALITIES LETTER



\*OC000000006317298\*

WALL MARJAMA & BILINSKI  
Suite 400  
101 South Salina Street  
Syracuse, NY 13202

Date Mailed: 07/19/2001 PLT

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/05/2001 MBERNE 00000110 09862636

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130.00 OP

